

REMARKS

Applicant respectfully requests consideration of the subject application as amended herein. This Amendment is submitted in response to the Final Office Action mailed April 6, 2005. Claims 12-42 stand rejected. In this Amendment, claims 12, 14, 16, 17, 19, 20, 27-30 and 35-38 have been amended. No new matter has been added.

The Examiner has rejected claims 12, 20, 26-28, 35-36 and 42 under 35 U.S.C. §102(e) as being anticipated by Xydis, (U.S. Patent No. 6,456,958, hereinafter "Xydis"). Claims 13-15, 21, 22, 25, 31-34 and 39-41 are rejected under 35 U.S.C. §103(a) as being unpatentable over Xydis, in view of Berliner, et al., (U.S. Patent No. 6,731,908, hereinafter "Berliner"). Claims 16, 23, 29 and 37 are rejected under 35 U.S.C. §103(a) as being unpatentable over Xydis, in view of Hind, et al., (U.S. Patent Application No. 2002/0174025, hereinafter "Hind"). Claims 17-19, 24, 30 and 38 are rejected under 35 U.S.C. §103(a) as being unpatentable over Xydis, in view of Keller, et al., (U.S. Patent Application No. 2002/0054412, hereinafter "Keller"). As discussed below, the pending claims are patentable over the above reference.

Xydis discloses a method for determining the distance between a computer and a token carried by a user for allowing the user to access the computer. The computer is connected to a first transceiver that includes a processor for enabling and disabling the computer, an antenna for emitting and detecting an RF signal, a microphone for detecting an audio signal, and a counter for measuring a time interval between a transmitted RF signal and audio signal from the token. The token is connected to a second transceiver that includes an antenna for emitting and detecting a RF signal and a loudspeaker for emitting an audio signal. When the processor determines that the measured time interval is within a predetermined time range, it enables the computer to allow the user to have access to the enabled computer. When the time interval is outside the predetermined time range, the processor disables the computer.

Contrary to the presently claimed invention, Xydis does not teach or suggest a computer access device that includes a wireless communication interface to communicate with a portable electronic device when the distance between the portable electronic device and the computer access device is within a first range, and a range sensor to sense when the distance between the portable electronic device and the computer access device is within a second range, wherein the range sensor is separate from the wireless communication interface. These limitations are included in the following language of claim 12:

12. A computer access device comprising:

a first wireless communication interface to communicate with at least one portable electronic device having a second wireless communication interface when a distance between the portable electronic device and the computer access device is within a first range; and

a range sensor to sense when a distance between the portable electronic device and the computer access device is within a second range, wherein the range sensor is separate from the first and second wireless communication interfaces.

Similar language is included in claims 27 and 35. Thus, claims 12, 27 and 35 and their corresponding dependent claims are not anticipated by Xydis.

With respect to claim 20, Xydis does not teach or suggest a portable electronic device that includes a wireless communication interface to communicate with a wireless communication interface of a computer access device when the distance between the portable electronic device and the computer access device is within a first range, and a range sensing component which interacts with a range sensor of the computer access device to sense when a distance between the portable electronic device and the computer access device is within a second range, wherein the range sensing component is separate from the wireless communication interface of the portable

electronic device and the computer access device. Accordingly, Xydis lacks the features of the present invention that are included in the following language of claim 20:

20. A portable electronic device comprising:

a first wireless communication interface to communicate with a second wireless communication interface of a computer access device when a distance between the portable electronic device and the computer access device is within a first range; and

a range sensing component which interacts with a range sensor of the computer access device to sense when a distance between the portable electronic device and the computer access device is within a second range, wherein the range sensing component is separate from the first and second wireless communication interfaces.

Thus, claim 20 and its corresponding dependent claims are not anticipated by Xydis. Consequently, Applicant respectfully submits that the rejections under 35 U.S.C. § 102 have been overcome, and withdrawal of these rejections is therefore respectfully requested.

Berliner does not help Xydis to render the presently claimed invention unpatentable. Specifically, Berliner discloses a method and apparatus for measuring a distance between two objects using RF techniques. The apparatus includes a base station 100 and a remote unit 200. The base station 100 includes an RF transceiver 103. The distance between the base station 100 and remote unit 200 is determined by exchanging RF signals between the base station 100 and remote unit 200.

Berliner lacks the same limitations that are missing from Xydis. Specifically, Berliner does not teach or suggest a computer access device that includes a wireless communication interface to communicate with a portable electronic device when the distance between the portable electronic device and the computer access device is within a first range, and a range sensor to sense when the distance between the portable electronic device and the computer access

device is within a second range, wherein the range sensor is separate from the wireless communication interface, as claimed in claims 12 of the present invention. Similar limitations are also included in claims 27 and 35 of the present invention.

With respect to claim 20, Berliner does not teach or suggest a portable electronic device that includes a wireless communication interface to communicate with a wireless communication interface of a computer access device when the distance between the portable electronic device and the computer access device is within a first range, and a range sensing component which interacts with a range sensor of the computer access device to sense when a distance between the portable electronic device and the computer access device is within a second range, wherein the range sensing component is separate from the wireless communication interface of the portable electronic device and the computer access device.

The above limitations that lack from Xydis and Berliner are also missing from each of Hind and Keller. Thus, the cited references taken alone or in combination do not teach or suggest the present invention as claimed in claims 12, 20, 27 and 35, and their corresponding dependent claims.

In light of the above, Applicant respectfully submits that the rejections under 35 U.S.C. § 103 have been overcome, and withdrawal of these rejections is therefore respectfully requested.

DEPOSIT ACCOUNT AUTHORIZATION

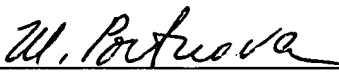
Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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